## REMARKS

Claims 1-28 are pending, with claims 1, 15, 19, and 27 being independent. Claims 1, 2, 4, 5, 15-19, and 27 have been cancelled without prejudice. Claims 3, 6-14, 20-24, and 28 have been amended. New claims 29-40 have been added, with claims 37 and 39 being independent. No new matter has been added. Reconsideration and allowance of the above-referenced application are requested.

Allowable Subject Matter:

Claims 6-12, 20-23 and 28, as originally filed, have been indicated as allowable. Claims 1, 3-4, 14-15 and 27 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Kruest (U.S. 5,963,144). Claims 2-5 and 16-18 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Kruest as applied to claim 1 and further in view of Snodgrass et al. (U.S. 5,583,850). Claim 13 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Kruest as applied to claim 1 in view of Alicot et al. (U.S. 5,990,794). Claims 19 and 24 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Kruest in view of Shafer (U.S. 5,942,978). Claim 25 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Kruest in view of Shafer as applied to claim 19 in view of Altkins et al. (U.S. 6,661,336). Claim 26 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Kruest in view of Shafer and Altkins et al as applied to claim 25 and further in view of Alicot et al. These contentions are respectfully traversed.

The rejections of claims 1, 2, 4, 5, 15-19, and 27 have been obviated by the cancellation of these claims without prejudice to pursuing them at a later time in a continuation application.

Claims 6-12, 20-23 and 28, as originally filed, have been indicated as allowable; original claims

6-9, 11, 12, 20-23, and 28 have each been rewritten in independent form. Claim 10 has been

amended to depend from allowable claim 6. Claims 3, 13, and 14 have been amended to depend

from allowable claim 12. Claim 24 has been amended to depend from allowable claim 20. New

claims 29-36 depend from allowable base claims. New claims 37 and 38 should be allowable for

at least reasons similar to original claim 11. New claims 39 and 40 should be allowable for at

least reasons similar to original claim 12.

## Conclusion

It is believed that all of the pending claims have been addressed. However, the absence

of a reply to a specific issue or comment does not signify agreement with or concession of that

issue or comment. Because the arguments made above may not be exhaustive, there may be

reasons for patentability of any or all pending claims (or other claims) that have not been

expressed. Finally, nothing in this paper should be construed as an intent to concede any issue

with regard to any claim, except as specifically stated in this paper, and the amendment of any

claim does not necessarily signify concession of unpatentability of the claim prior to its

amendment.

It is respectfully suggested for all of these reasons, that the current rejection is overcome,

that none of the cited art teaches or suggests the features which are claimed, and therefore that all

of these claims are in condition for allowance. A formal notice of allowance is thus respectfully
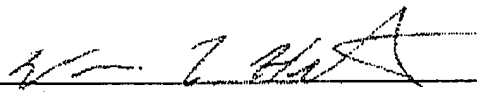
requested.

Applicant : Bruce B. Roesner, Ph.D.                    Attorney's Docket No.: 16165-005001
Serial No. : 10/666,226
Filed     : September 17, 2003
Page      : 19 of 19

Please apply the one month extension of time fee, the excess claims fees, and any other

necessary charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: June 8, 2006

William E. Hunter
Reg. No. 47,671

Fish & Richardson P.C.
PTO Customer No. 20985
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

10599083.doc